

REMARKS

Claims 1-30 are pending and stand rejected.

In view of the Remarks herein, Applicant respectfully requests that the Examiner reconsider the arguments and rebuttal evidence made in the Reply of November 28, 2005, which is hereby incorporate by reference herein in its entirety. Applicant would like to focus on just a few points.

Offset, Global Clock and Local Clock

Claim 1 recites “determining an offset between said global clock and said local clock”. On the other hand, Muller describes “a value M_OFFSET representing the difference between the slave unit’s clock and the master unit’s clock and the slave’s address in the network, L_ADDR”. Muller at paragraph [0051]. *For clarification, what is the global clock and what is the local clock in Muller?* Applicant would like to point out that, while claim 1 relates to a method for distributing timing information amongst a plurality of master devices, Muller relates to synchronizing slave devices to a single master device. See, e.g., Muller at paragraphs [0002]-[0005].

Claim 10 recites “generating a local clock using an offset and said global clock”. It appears from FIG. 7 of Muller that clock 168 or RT clock 190 is not generated using an offset and a global clock. *However, for clarification, what is the local clock and what is the global clock?* Also, logically, if value M_OFFSET in Muller represents the difference between a slave clock and a master clock and a slave address. Then, how can the local clock, as alleged, be generated using the offset and the global clock? In other words, as alleged, how can a local clock be generated from an offset and a global clock when the offset must first be determined from the alleged local clock and the alleged global clock. In Muller, to determine the offset a local clock is used; but according to claim 10, to generate a local clock, an offset is used. The

logic is circular and, therefore, inconsistent.

It is respectfully submitted that the obviousness rejection should not be maintained in view of at least the above.

Claims 1 and 10 Are Different

The Office Action Made Final uses the same analysis for claims 1 and 10. However, claims 1 and 10 relate to different embodiments of the present invention.

Claim 1 recites “determining an offset between said global clock and said local clock”. Thus, in claim 1, an offset is determined from a global clock and a local clock.

On the other hand, claim 10 recites “generating a local clock using an offset and said global clock”. Thus, in claim 10, a local clock is generated using an offset and a global clock.

Applicant respectfully requests that the Examiner review the analysis in the Office Action Made Final. By equating claim 10 with claim 1, the Examiner has forgotten to present a *prima facie* case of obviousness with respect to claim 10 which recites different relationships between the elements.

Applicant respectfully notes that “[t]he examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness.” M.P.E.P. § 2142 at page 2100-125 (Rev. 5, Aug. 2006)(italics in the original).

It is respectfully requested that the Examiner present a *prima facie* case of obviousness with respect to claim 10.

Claims 15 and 23 Are Different

The Office Action Made Final uses the same analysis for claims 15 and 23. However, claims 15 and 23 relate to different embodiments of the present invention.

Claim 15 recites “means for determining an offset between said global clock and said

local clock”. Thus, in claim 15, an offset is determined from a global clock and a local clock.

On the other hand, claim 23 recites “means for generating a local clock using an offset and said global clock”. Thus, in claim 23, a local clock is generated using an offset and a global clock.

Applicant respectfully requests that the Examiner review the analysis in the Office Action Made Final. By equating claim 15 with claim 23, the Examiner has forgotten to present a *prima facie* case of obviousness with respect to claim 23.

Applicant respectfully notes that “[t]he examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness.” M.P.E.P. § 2142 at page 2100-125 (Rev. 5, Aug. 2006)(italics in the original).

It is respectfully requested that the Examiner present a *prima facie* case of obviousness with respect to claim 23.

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Conclusion

In view of the above discussion and the arguments/rebuttal evidence presented in the Reply of November 28, 2005, it is respectfully requested that the obviousness rejection be withdrawn with respect to claims 1-30.

In view of at least the foregoing, it is respectfully submitted that the pending claims 1-30 are in condition for allowance. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the below-listed telephone number.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

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Respectfully submitted,

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